

Serial No. 09/891,696

Attorney Docket No. PN01032AA

REMARKS/ARGUMENTS

Claims 1 and 11 remain in this application. Claims 35, 36, 38 through 40 and 42 have been canceled without prejudice or disclaimer. Claims 1 and 11 have been amended.

Claims 1 and 11 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0077922 to Srinivasan ("Srinivasan patent").

Claim 1 as amended provides, *inter alia*, formulating a response concerning the order and the reply in which the response is formulated based on capabilities of a display of the wireless communication device. Support for the above change is provided in the preamble of claim 1 as well as page 5, line 27, through page 6, line 4, of the specification.

The Srinivasan patent, at paragraph [0086], discloses a wireless phone that accesses a database. However, the Srinivasan patent does not describe or suggest formulating a response for an order based on capabilities of a wireless communication device, let alone the capabilities of a display of the wireless communication device.

It should be noted that, even without the above change to claim 1, claim 1 distinguishes from the Srinivasan patent. Starting at the bottom of page 3, the above Office Action states "... The Examiner notes that the responses are based on the device's capabilities to display the necessary information, and cites two examples: graphics and fields to be populated. Claim 1 specifically states that "... a response is formulated based on capabilities of a display ...". In contrast, the Srinivasan patent describes terminals that communicate with a service via a

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network, such as the Internet. Also, FIGs. 7 and 8 (and their various parts) show screen shots of a web browser. Web-based servers communicating over the Internet do not formulate responses based on capabilities of a terminal's display; instead, web-based servers provide information based on standardized protocols regardless of the terminal's display capabilities. The burden of meeting the display capabilities of a receiving terminal is placed on the terminals themselves. Thus, when each terminal receives information from a server, the terminal interprets the information to accommodate the capabilities of its display. None of the devices of the Srinivasan patent describe or suggest formulating a response based on display capabilities of a device, as required by claim 1. Therefore, claim 1 distinguishes patentably from the Srinivasan patent.

Claim 11 depends from and includes all limitations of independent claim 1 as amended. Therefore, claim 11 distinguishes patentably from the Srinivasan patent for the reasons stated above for claim 1.

In view of the above, reconsideration and withdrawal of the 35 U.S.C. §102(c) rejection of claims 1 and 11 are respectfully requested.

CONCLUSION

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Also, no amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

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The Commissioner is hereby authorized to deduct any additional fees arising as a result of this response, including any fees for Extensions of Time, or any other communication from or to credit any overpayments to Deposit Account No. 50-2117.

It is submitted that the claims clearly define the invention, are supported by the specification and drawings, and are in a condition for allowance. Applicants respectfully request that a timely Notice of Allowance be issued in this case. Should the Examiner have any questions or concerns that may expedite prosecution of the present application, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,
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